

MINUTES of the Regular Meeting of
the City Council of the City of Rye held in
City Hall on November 29, 2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN CUNNINGHAM
ROBERTA DOWNING
ROBERT H. HUTCHINGS
ROSAMOND LARR
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT:

NONE

An executive session of the City Council was convened at 7:30 P.M. to discuss litigation. It was adjourned at 7:55 P.M. The Regular Meeting of the City Council was convened at 8:00 P.M.

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official city business.

Mayor Otis opened the meeting by welcoming Boy Scout Troop 2 who were attending the meeting to learn more about how city government works.

The Mayor asked the Council to act on two matters discussed during the executive session held prior to the regular meeting but not on the agenda.

Councilman Stampleman made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that City of Rye file a notice of appeal related to Article 78, Home Depot on traffic mitigation measures.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing, Hutchings, Larr,
McKean and Stampleman
NAYES: NONE
ABSENT: NONE

The resolution passed.

Mayor Otis made a motion, seconded by Council McKean to adopt the following resolution:

RESOLVED, that the Corporation Council is authorized to commence appropriate proceedings for judicial review of the administrative determination made by NYS Board of Real Property Services, which denied an application made by the City for a segment special equalization rate affecting the Town of Rye portion of the Rye Neck School District.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing, Hutchings, Larr,
McKean and Stampleman
NAYES: NONE
ABSENT: NONE

The resolution passed.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

The Mayor welcomed three residents and suggested that, as they all wished to speak on matters relating to the 2001 Budget, they wait to address the Council until the public hearing opened.

4. Public hearing on proposed 2001 Budget

Mayor Otis began the discussion of the proposed FY 2001 Budget by reviewing the process to date. He mentioned that it had been presented to the Council by the City Manager and that after three budget workshops, the proposed tax rate increase had been lowered from 3.08% to 2.1% which is exactly the amount necessary to cover the increased debt from the Firehouse Bond issue, approved by the voters last year. In addition, he announced that the Council had also added some items to the budget including funds for additional cleaning and sweeping of the Central Business District (CBD); additional

Police coverage of the CBD; and an additional police radar trailer. The Mayor then opened the public hearing on the FY 2001 Budget and asked interested citizens to address the Council.

Betty Teoman, Director of the Rye Free Reading Room, thanked the Council for its support and read a letter from Martin L. Edelman, President of the Library's Board of Trustees, expressing the board's appreciation to the Council for maintaining the level of support throughout the detailed consideration of the City's budget, and for their vigorous support of the strong role the Library continues to play in the Rye Community.

Barbara Anselmi, Co-President of the Rye Youth Council, reviewed the history of the Youth Council mentioning that it was conceived in 1963 by then Mayor H. Clay Johnson to make community resources available to Rye's youth. She said that the Youth Council has maintained itself for 30 years and that it is now supported almost 70% by private funding. She thanked the Council for their past and present support and asked that it consider adopting additional funding in the future which the Youth Council will need to remain viable.

Elizabeth Reynolds, President of the Rye Historical Society, also addressed the Council. She said she recognized that the Society's request for additional funding, over and above support of the Square House Building which the City maintains, had been introduced quite late in the budget process but said she hoped that the Society would be able to work with the Council to develop funding to help it maintain services, such as admission and archival research, at no cost. She said she hoped that the Council might be able to consider some interim funding while the details of creating such a partnership with the City could be developed. The Mayor responded that the Council would like to continue discussion into the new year to see if a contract for services arrangement could be worked out. He said that the City has such an arrangement with a few other non-profit organizations and that the Society may well fall into that category and asked that the City Manager and Staff to gather information on the other organizations to see how such an arrangement might be achieved even if it is not possible to award contingency funds at this time. Councilman Stampleman pointed out that the original agreement between the City and the Society states that the Society cannot charge unless written approval is obtained. He said he would be glad to look at areas where the Society might charge for services. Councilman McKean said it was important that people were not turned away because there were more charges. Mrs. Reynolds stated that the Society was not charging for most services now and that its mission continues to be to educate the public, but that they need help in order to maintain that level of free services. She said that the Society was also in the process of changing its relationship with the school system and that fees for services charged to the school need to be at an appropriate level. She stated that the Society had made the transition from a volunteer to professional organization, one fully accredited by the American Association of Museums (one of the few in the country) and that the City can be very proud of having such an organization. She concluded by saying that as the Society has grown the need for partnering has become evident and she looks forward to making a fuller presentation to the Council in the future.

As there were no other comments from the public, Mayor Otis asked the Council for input.

Councilwoman Cunningham said she had looked at a comparison of taxi fees in other communities and had determined that the fees recommended in the 2001 budget fall in the middle. She asked Frank Kabdebo, head of the Purchase Street Taxi company to address the Council. Mr. Kabdebo asked what increases were proposed. City Manager Novak said that the rates were being raised from \$50 to \$60 and from \$100 to \$115 for various license fees and from \$480 to \$600 for the booth fee. Mr. Kabdebo said the increases were no problem.

Councilwoman Downing asked about the increase in contractual services and asked if there might be additional income to be derived from this source which might be used to help organizations such as the Youth Council and Historical Society. Manager Novak said that the income on this line had risen because of increased depreciation costs which have been charged back. She indicated that a better area for mid-year review might be the contingency fund which includes such items as additional research for site selection of new athletic fields and other parts of the Recreation Department's Master Plan proposal, the City's obligations to improve the Duck Pond at Rye Town Park, and to acquiring parcels of land.

Councilwoman Cunningham asked about the increase in the City Council Budget line. The Mayor responded that this was because funds have been reserved to cover the cost of mailing four newsletters. Councilwoman Larr asked if these letters could be sent out under a non-profit indicia. The Mayor replied that the City has to use the government indicia, but that not needing labels more than makes up the extra cost of the postage. He suggested that perhaps if these newsletters could include information from some of the community's non-profit agencies, it might be of assistance to them.

Councilman Stampleman asked if the Library now has a copy of the budget and was told that it is there. He also mentioned that in addition to the increases in the budget mentioned by the Mayor, the Council has also included acoustical improvements at the Damiano Center, more or improved traffic lights, drainage improvements, and a new desk in the Police Department in the 2001 Budget. In answer to a question from Councilwoman Larr, the Council was informed that the extra policeman assigned to the CBD would be the same person at all times so that there will be consistency.

Councilwoman Cunningham mentioned the large expense appropriated for MIS services. Manager Novak said that it was important to stay current in this field; that there would be several years needed to complete implementation of the GIS system; and that new servers would be installed for both GIS and for the new Office 2000 system.

Councilman Hutchings suggested that it might be time to vote. There being no further comments Mayor Otis declared the public hearing closed and set the date for adoption of the 2001 Budget based on the following figures at the December 20 City Council meeting.

CITY OF RYE SUMMARY OF PRELIMINARY BUDGETS

<u>Fund/Program</u>		<u>Tentative Budgets</u>
General Fund		
General Government Support		\$2,483,033
Public Safety		7,533,762
Community Environment		5,545,004
Culture and Recreation		2,333,067
Other Financing Uses		<u>1,239,225</u>
Total - General Fund		<u>19,134,091</u>
Rye Cable TV Special Revenue Fund		<u>163,971</u>
Rye Nature Center Special Revenue Fund		<u>361,436</u>
Debt Service Fund		<u>109,109</u>
Capital Projects Fund		<u>1,512,000</u>
Boat Basin Enterprise Fund:	Operating	449,262
	Capital	<u>0</u>
Total - Boat Basin Fund		<u>449,262</u>
Rye Golf Club Enterprise Fund:	Operating	3,645,273
	Capital	<u>399,000</u>
Total - Golf Club Fund		<u>4,044,273</u>
Risk Retention Internal Service Fund		<u>490,000</u>
Building and Vehicle Maintenance		
Internal Service Fund	Operating	2,183,771
	Capital	<u>864,000</u>
Total - Building and Vehicle Maintenance Fund		<u>3,047,771</u>
TOTAL - All Funds		<u><u>\$29,311,913</u></u>

5. Scheduling of public hearings on local laws with respect to fee increases:

The Mayor asked the Council to schedule public hearings on Local Laws to amend fees for various City permits/licenses as outlined in the 2001 Budget. These fees for permits and licenses issued by the City are amended through the adoption of local laws. Where possible, the changes eliminate mention in the code of the specific amount in favor of the insertion of the clause "set annually by resolution of the City Council before adoption of the budget for the following year." Such adoption would eliminate the need to enact a law each time the fee is changed. The Mayor asked those with questions concerning the various fees to consult the City Manager. Councilman Stampleman inquired about the rates for street openings. The City Manager replied that our rate of a minimum of \$180 or \$.50/linear foot seems to be in line but that perhaps the City could review the whole picture at a later date. Councilman McKean pointed out that these rates apply not only to companies but to individuals. Councilwoman Larr asked for clarification about dog licenses, peddling and soliciting, and returning parking permit stickers.

Councilman Hutchings made a motion, seconded by Councilman Stampleman and unanimously to adopt the following resolution:

WHEREAS, many of the fees for permits and licenses issued by the City are amended through the adoption of Local Laws; and

WHEREAS, the process of amending these fees requires that the Council conduct a public hearing on each proposed local law; and

WHEREAS, it is now desired to call a public hearing on each proposed local law, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule law and the Charter of the City of Rye, New York, public hearings will be held by the Council of said City on December 20, 2000 at 8:00 P.M. at City Hall, Boston Post Road, for the purpose of affording interested persons an opportunity to be heard concerning each local law amending the Rye City Code with respect to fees:

- a local law amending Chapter 46, Alarm Systems;
- a local law amending Chapter 50, Amusements and Exhibitions;
- a local law amending Chapter 56, Auctioneers;
- a local law amending Chapter 76, Dogs;

- a local law amending Chapter 93, Filming;
- a local law amending Chapter 98, Fire Prevention;
- a local law amending Chapter 113, Junk Dealers;
- a local law amending Chapter 121, Laundromats;
- a local amending Chapter 144, Peddling and Soliciting;
- a local law amending Article II, Camps, of Chapter 157, Sanitary Regulations;
- a local law amending Article IV, Tree Preservation, of Chapter 170, Subdivision of Land;
- a local law amending Chapter 180, Taxicabs;
- a local law amending Chapter 187, Trees; and
- a local law amending Chapter 191, Vehicles and Traffic.

Section 2. Such notice of public hearings shall be in substantially the following form, individualized for each local law:

**PUBLIC NOTICE
CITY OF RYE**

Notice of Public Hearing on a Proposed Local Law Amending [Chapter 46, Alarm Systems, Sections 46-5 and 46-8] of the Code of the City of Rye with Respect to Fees

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 20th day of December, 2000, at 8 P.M. at City Hall, Boston Post Road, in said proposed local law entitled "A local law amending [Chapter 46, Alarm Systems, Sections 46-5 and 46-8] of the City of the City of Rye with Respect to Fees."

Copies of said local laws may be obtained from the office of the City Clerk.

Dated:

City Clerk

6. Resolution amending the Administrative Pay Plan

At the request of Mayor Otis the City Manager explained it is proposed that the top level to the Administrative Pay Plan be increased by 2.9% in keeping with inflation and that the lower level had also been raised accordingly.

Councilman Stampleman made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the City Council of the City of Rye hereby amends the Administrative Pay Plan, effective January 1, 2001, to read as follows:

Administrative Pay Grade A (salary range \$60,000-104,347)

Assessor
Building Inspector
City Clerk
City Comptroller
City Engineer
City Planner
Police Commissioner
Superintendent of Recreation

Administrative Pay Grade B (salary range \$45,000-76,886)

Assistant to City Manager
Assistant Superintendent of Recreation
Boat Basin Supervisor
Coordinator of Computer Services
Deputy Comptroller
Fire Inspector
General Foreman / Lead Maint. Mech. PW
Golf Club & Swimming Pool Manager
City Naturalist

Administrative Pay Grade C (salary range \$40,000-66,064)

Accountant
Administrative Assistant / Secretary
Assistant City Engineer / Eng. Tech. (Civil)
Cable Television Coordinator
Garage Foreman / Lead Maint. Mech.
Greenskeeper
Labor Foreman / Lead Maint. Mech.
Park Foreman
Road Maintenance Foreman
Sanitation Foreman / Lead Maint. Mech.

Administrative Pay Grade D

(salary range \$25,000-54,919)

Administrative Assistant
Assistant Assessor
Assistant Cable Television Coordinator
Assistant Naturalist / Curator - Nature Museum
Junior Accountant
Junior Network Specialist
Secretary to Corporation Counsel

and be it further

RESOLVED, the City Manager be authorized to make adjustments to the salaries of the employees in this pay plan not to exceed 4.5%, and be it further

RESOLVED, that the City Manager is authorized to make an additional increase to the Fire Lieutenant's salary in order to maintain an 18% salary differential between the top step Firefighter and the Lieutenant.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing, Hutchings, Larr,
McKean and Stampleman
NAYES: NONE
ABSENT: NONE

The resolution passed.

7. Approval of the amendment of the Rye Community Television Special Fund Revenue Fund by appropriating \$1,000 from the fund balance and increasing expenditures in a like amount for the purpose of providing city-wide mailings

Mayor Otis asked Councilman Hutchings to explain the reasons behind the request to appropriate \$1,000 from the fund balance and increasing expenditures in a like amount for the purpose of providing city-wide mailings. Councilman Hutchings said that Cablevision had agreed to reimburse the City of Rye for the newsletters necessary to inform the public about the reassignment of channels instituted by Cablevision, but that the check has not yet arrived.

Councilwoman Downing made a motion, seconded by Councilwoman Cunningham and unanimously carried to adopt the following

RESOLVED, that the City
Comptroller is authorized to appropriate

\$1,000 from the Cable TV Fund Balance for the purpose of providing city-wide newsletters prior to receipt of payment by Cablevision.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing, Hutchings, Larr,
McKean and Stampleman
NAYES: NONE
ABSENT: NONE

The resolution passed.

8. Consideration of the request of the 15th and 37th Twigs of the United Hospital to use the Village Green for Holiday Caroling and Luminaries Lighting on December 23, 2000, from 4:00 p.m. to 8:00 p.m.

Councilman Hutchings made a motion, seconded by Councilwoman Larr and unanimously carried to approve the request of the 15th and 37th Twigs of the United Hospital to use the Village Green for Holiday Caroling and Luminaries Lighting on December 23, 2000 from 4:00 PM to 8:00 PM.

9. Draft unapproved minutes of the special meeting of the City Council held on November 8, 2000, the regular meeting held on November 15, 2000, and the special meetings held on November 16 and November 20, 2000

Councilwoman Cunningham made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the minutes of the special meeting of the City Council held on November 8, 2000 as amended.

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the minutes of the regular meeting of the City Council held on November 15, 2000 as amended

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the minutes of the special meeting of the City Council held on November 16, 2000 as submitted.

Councilman Stampleman made a motion, seconded by Councilman McKean and unanimously carried, to approve the minutes of the special meeting of the City Council held on November 20, 2000 as submitted.

10. Miscellaneous communications and reports

Mayor Otis reported that the Rye Garnets Girls Field Hockey Team won the first state championship ever for the City of Rye, posting an amazing record of 17 shut-outs over the season. He said that everyone was very excited and that there would be a parade on December 1 departing from the train station at 6:00 PM and arriving at the high school gym at 6:30 P.M. for celebration and raising of the championship banner. He said that he would prepare a proclamation from the City Council to honor the team.

Councilman Hutchings reported that the Rye Cable Commission had invited 19 neighboring communities to meet on Friday, November 24, 2000 to share ideas on programming and open a dialogue concerning local Cable stations. He said it was a wonderful agenda, so enthusiastically received that the Mayor of Tuckahoe has already offered to host another meeting based on the format initiated by the City of Rye.

11. Old Business

Councilman Stampleman asked about any progress selecting a site for the new police station. City Manager Novak reported that the staff is still trying to make contact with some of the property owners, but it appears that the Con Edison and Nursery Lane area sites can be eliminated. All other sites have active tenants so there will be negotiation issues which will need to be discussed.

Councilman Stampleman expressed concern about counting absentee ballots in City of Rye elections, many of which are very close. Mayor Otis said that it appears that the City's old machines are more accurate than some of the modern methods, but that the issue of properly tallying close elections will be reviewed in Albany. He said he was attending a Continuing Legal Education Seminar and he will report back to the Council. He reported that the Board of Elections keeps voters on the list for 8 years before dropping them so that citizens who have moved should report to the Board.

Councilwoman Cunningham inquired about a request from the Middle School PTO to park on the "snow dump" area. Councilman Stampleman said he thought this was dangerous. The City Manager said it was her understanding that the request was made because there was not enough parking during the day-time meetings, but indicated that granting such a request would open the option to everyone and suggested that perhaps the school should examine other options.

Councilwoman Downing requested that the Council set up a workshop on sidewalks. Mayor Otis suggested that the Council gather more information from Consultant Pat Cleary before setting the date.

The Mayor announced that City Manager Novak and Councilman Hutchings would both be attending the National League of Cities Congress of Cities Meeting in Boston during the week of December 4. He reported that the City pays for registration and receipted expenses for such conferences.

Councilwoman Downing inquired about the status of the American Yacht Club/Town of Rye proposed land swap and wondered if the Council needed a workshop on this matter. Mayor Otis reported that there is a lot of information still not received, including input from the Town of Rye. He said there is a document prepared by Shenorock Shore Club and a petition being circulated which the Council will see next week. He said that once the City of Rye gets all the information the Council will have to sit down and see where to go from here in terms of how to address the issues raised. Councilman Stampleman indicated that it is clear that the police do have jurisdiction in the area and he felt it was important not to delay too long. Councilman McKean questioned why the City Council was taking such an active role in a private matter and suggested that perhaps the manager of the information gathering process should be the City Planner rather than the Council. Mayor Otis said that the City has to have an active role for many reasons: many of the issues raised affect the City directly, the Town of Rye is waiting for the City's input and will not be prepared to move forward if the City does not approve; and that someone needs to gather and set out all the issues.

Councilman Cunningham confirmed that complaints from the Rye Manor Residents concerning speeding should go to the Traffic and Transportation Committee. She mentioned that everyone was concerned about speeding and that this might be a good place for rumble strips. Manager Novak reported that rumble strips are already on Manursing Way but are so subtle that, not only can you not hear them, but they are having little impact, so will be redone.

12. New Business

Councilman Hutchings thanked everyone for their participation in "Eye on Rye" in the past and thanked them in advance for future programs. Councilman Stampleman suggested that a library of tapes be prepared for the Rye Free Reading Room so that people could view the programs again. Councilman Hutchings said that the cost of duplication is passed on to the requester so the library would have to bear that cost and perhaps a good first step would be to prepare a list for the Rye Free Reading Room of tapes available.

Mayor Otis made a motion, seconded by Councilman McKean and unanimously approved to adjourn to executive session to discuss a contractual matter and a personnel matter at 9:35 P.M.

The Council reconvened at 10:45 PM.

13. Adjournment

There being no further business to discuss, Councilman Hutchings made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adjourn the meeting at 10:48 P.M..

Respectfully submitted,

Susan A. Morison
City Clerk